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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/604,623	08/05/2003	Felix Nedorezov	202-1605FGT1844	1622
28549	7590	04/06/2005	EXAMINER	
KEVIN G. MIERZWA ARTZ & ARTZ, P.C. 28333 TELEGRAPH ROAD, SUITE 250 SOUTHFIELD, MI 48034			NGUYEN, NAM V	
			ART UNIT	PAPER NUMBER
			2635	

DATE MAILED: 04/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

CA

<b>Office Action Summary</b>	<b>Application No.</b> 10/604,623	<b>Applicant(s)</b> NEDOREZOV, FELIX	
	<b>Examiner</b> Nam V Nguyen	<b>Art Unit</b> 2635	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 05 August 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>8/5/03</u> . | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

The application of Nedorezov for a "system and method for activation of remote features from an automotive vehicle" filed August 05, 2003 has been examined.

Claims 1-20 are pending.

#### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 3 and 11 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 3 recites the limitation "the controller" in line 1. There is insufficient antecedent basis for this limitation in the claim.

Claim 11 recites the limitation "the transmitter" in line 1. There is insufficient antecedent basis for this limitation in the claim.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1-2, 4-5 and 17-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Rohrberg et al. (US# 6,661,350).

Referring to claim 1, Rohrberg et al. disclose a miniature remote control system as recited in claim 1. See Figures 1, 6, and 26-28 and respective portions of the apparatus and method.

Rohrberg et al. disclose a system (10) (i.e. a miniature remote control system) for operating a remote device (GD) (i.e. a garage door) from an automotive vehicle (V) (i.e. a vehicle) (column 5 lines 36 to 67; see Figures 1 and 3) comprising:

a keypad (160) (i.e. a transceiver keypad) generating a first coded signal (20) (i.e. a correct transmitter code) (column 10 line 54 to column 11 line 22; see Figures 26-27); and a transmitter controller (162) (i.e. microprocessor) coupled to the keypad (160) receiving the first coded signal (20) and generating a wireless control signal (16) (i.e. a coded serial pulse train) for operating the remote device (GD) (i.e. a garage door) in response to the first coded signal (20) (i.e. a correct transmitter code) (column 11 line 23 to column 12 line 35; see Figures 26-28).

Referring to Claim 2, Rohrberg et al. disclose the system as recited in claim 1, wherein the first coded signal (20) (i.e. a correct transmitter code) corresponds to a combination of buttons (148) (i.e. multiple pushbuttons 148 of a transceiver keypad 160) (column 11 lines 6 to 22; see Figures 26-27).

Referring to claim 17, Rohrberg et al. disclose a method of operating a remotely controlled device using a transmitter of an automotive vehicle, the claim 17 differ from claim 1 in that the claim requires the limitation of claim 2 already addressed above, therefore claim 17 is also rejected for the same reasons given with respect to claim 2.

Referring to Claims 4-5 and 18, Rohrberg et al. disclose a method and the system as recited in claims 1 and 17, wherein the transmitter controller (162) (i.e. a microprocessor) comprises a memory (not shown) storing a plurality of code signals (20) associated with a plurality of control signals (16) (column 11 line 55 to column 12 line 6; column 13 line 45 to 60; see Figure 26).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3 and 11-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rohrberg et al. (US# 6,661,350) as applied to claim 1 above, and in view of Flick (US# 6,392,534).

Referring to claim 3, Rohrberg et al. disclose the system as recited in claim 1, however, Rohrberg et al. did not explicitly disclose wherein the controller is coupled to the keypad through a multiplex bus.

In the same field of endeavor of a remote control system for a vehicle, Flick teaches that the controller (23) (i.e. remote function controller) is coupled to the keypad (36 and 37) (i.e. switches) through a multiplex bus (22) (i.e. a vehicle data communications multiplex bus) (column 5 lines 37 to column 6 line 17; see Figures 1-2) in order to control plurality of actuators in a security controller.

One of ordinary skilled in the art recognizes the need to connect a control switches connect to a remote function controller through a vehicle data communications bus of Flick in a remote control system designed to be installed in a vehicle of Rohrberg et al. because Rohrberg

et al. suggest it is desired to provide that a multiple buttons control transceiver keypad connects in series to a microprocessor with plurality of output functions (column 11 lines 6 to 22; see Figure 26) and Flick teaches that plurality of control switches and a remote function controller are connected to a data communications bus via the common interface bus (column 5 lines 37 to column 6 line 18; see Figure 1) in order to have a successful and flexible communication after adding to the vehicle control system. Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made connect a control switches connect to a remote function controller through a vehicle data communications bus of Flick in a remote control system designed to be installed in a vehicle of Rohrberg et al. with the motivation for doing so would have been to provide more flexible and an alternative way of connecting control switches to a remote function controller of a remote control system for a vehicle.

Referring to claim 11, Rohrberg et al. disclose the system as recited in claim 1, Flick discloses the transmitter controller (23) (i.e. a remote function controller) comprises a bus interface (46) (i.e. a data bus transceiver) (column 6 lines 41 to 53; see Figure 2) and Rohrberg et al. disclose wherein the transmitter controller (162) (i.e. a microprocessor) comprises the memory (not shown), an enable logic (not shown) comparing the first coded signal (20) to codes stored in the memory (column 11 lines 6 to column 12 line 6; see Figure 26).

Referring to claim 12, Rohrberg et al. disclose the system for an automotive vehicle, the claims 12 differs from claim 1 in that the claims require the limitations of claim 3 already addressed above and Rohrberg et al. discloses all limitations to the extent as claimed with respect

Art Unit: 2635

to claim 1 above and therefore claim 12 are also rejected as being obvious for the same reasons given with respect to claim 3.

Claims 6 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rohrberg et al. (US# 6,661,350) as applied to claims 1 and 17 above, and in view of McMahon (US# 5,663,650).

Referring to claims 6 and 19, Rohrberg et al. disclose a method and the system as recited in claims 1 and 17, however, Rohrberg et al. did not explicitly disclose further comprising a service connector for receiving a reset for clearing the memory.

In the same field of endeavor of a remote user control input device, McMahon teaches that a service connector (50) (i.e. a clear switch) for receiving a reset for clearing the memory (54) (i.e. an eeprom) (column 5 lines 17 to 29; see Figures 1 and 5) in order to clear the readings information in the memory.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to recognize using a clear switch in a front panel assembly to clear the readings from memory by depressing the clear switch of McMahon in a keypad of a transceiver control system of Rohrberg et al. because using a clear switch to clear the memory would improve a flexible and an alternative way of reprogramming the code signal that has been shown to be desirable in the remote control system operating external devices of Rohrberg et al.



Art Unit: 2635

Claims 7-10 and 13-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rohrberg et al. (US# 6,661,350) as applied to claims 1 and 12 above, and in view of Losey (US# 6,606,492).

Referring to claim 7, Rohrberg et al. disclose the system as recited in claim 1, however, Rohrberg et al. did not explicitly disclose further comprising a second keypad for generating the first coded signal.

In the same field of endeavor of vehicle control system, Losey teaches that a second keypad (28) for generating the first coded signal (i.e. a control signal) (column 2 lines 55 to 60; see Figure 1) in order to enter a code to allowing the vehicle to be operated.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to recognize using another keypad inside the vehicle to enter a code to allow operation of a vehicle system of Losey with a keypad or a control switch of a transceiver control system of Rohrberg et al. because using plurality of keypads inside vehicle to operate plurality of remote controlled devices would improve security that has been shown to be desirable in the remote control system operating external devices of Rohrberg et al.

Referring to claims 8-10 and 14-16, Rohrberg et al. disclose the system as recited in claims 1 and 12, Losey discloses wherein the keypad comprises a radio key pad, a stand-alone keypad or a keyless entry keypad (column 2 lines 36 to 60; see Figure 1).

Art Unit: 2635

Referring to claim 13, Rohrberg et al. in view of Flick disclose the system as recited in claim 12, Rohrberg et al. disclose a power source (BAT) (i.e. a battery), said first coded signal (20) enabling the transmitter controller (162) (i.e. a microprocessor) without regard to the ignition lock status (column 6 lines 1 to 17; column 11 line 6 to 29; see Figures 2 and 26) and Losey discloses an ignition lock having an ignition lock status (column 1 lines 13 to 24; column 3 lines 26 to 51; see Figure 1).

Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rohrberg et al. (US# 6,661,350) as applied to claim 17 above, and in view of Geschke et al. (US# 5,654,686).

Referring to claim 20, Rohrberg et al. disclose the method as recited in claim 17, however, Rohrberg et al. did not explicitly disclose further comprising entering a disable code; and disabling the system.

In the same field of endeavor of vehicle control system, Geschke et al. teach that entering a disable code; and disabling the system (column 3 line 61 to column 4 line 10; see Figures 1 and 2) in order to provide a disable output signal to disable the system.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to recognize using a disable code to output a signal to disable the system of Geschke et al. with a keypad or a control switch of a transceiver control system of Rohrberg et al. because using a disable code to disable the system would improve a convenient way to control the vehicle system that has been shown to be desirable in the remote control system operating external devices of Rohrberg et al.

### *Conclusion*

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Duhame (US# 5,252,960) discloses a secure keyless entry system for automatic garage door operator.

Madau (US# 6,593,856) discloses a homebound/outbound feature for automotive applications.

King et al. (US# 6,525,645) disclose an integrated remote keyless entry and garage door opener using a universal repeater.

Blaker (US# 6,703,941) discloses a trainable transmitter having improved frequency synthesis.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nam V Nguyen whose telephone number is 571-272-3061. The examiner can normally be reached on Mon-Fri, 8:30AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Horabik can be reached on 571-272-3068. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Application/Control Number: 10/604,623

Page 11

Art Unit: 2635

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Nam Nguyen  
April 1, 2005



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